

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

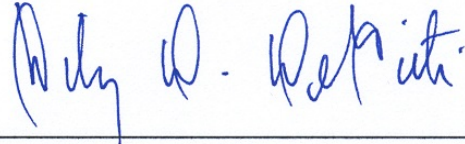
ANGELA CARPENTER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-15-200-D
	)	
	)	
WILLIAM WALKER, the UNITED	)	
STATES DEPARTMENT OF HEALTH	)	
AND HUMAN SERVICES and	)	
BILLY PORTER,	)	
	)	
Defendants.	)	

**ORDER**

Before the Court is the United States’ Notice of Substitution Pursuant to 28 U.S.C. § 2679(d)(1) [Doc. No. 12]. The United States provides notice to the Court that it is to be substituted as the only proper defendant for all claims against Defendant, Billy Porter. In support, the United States has submitted its Certification [Doc. No. 12-1] that “at all times relevant to the allegations in the complaint, Billy Porter was acting on behalf of a federal agency in an official federal capacity in service of the United States.” *See id.* Upon such certification, by operation of law, the action is “deemed an action against the United States . . . and the United States shall be substituted as the party defendant.” *See* 28 U.S.C. § 2670(d)(1); *see also Hui v. Castaneda*, 559 U.S. 799, 810 (2010) (certification “transforms an action against an individual federal employee into one against the United States”).

IT IS THEREFORE ORDERED that the United States shall be substituted as the defendant in place of the individual defendant, Billy Porter, named in Plaintiff's pleading.

IT IS SO ORDERED this 28<sup>th</sup> day of May, 2015.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE